



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, May 15, 2014 – Council Chambers – Evening Session**

### **CALL TO ORDER**

Mayor Lacher called the regular session of the Town Council to order at 5:30 p.m.

### **ROLL CALL**

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Farhad Ghatan; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, Duncan Wilson; and Clerk, Amy Taylor.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **PUBLIC ACCESS TIME**

No public access was forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### Proclamation – Distracted Driving Campaign

At 5:30 p.m., Mayor Lacher proclaimed May 16th, 2014, as Distracted Driver Awareness Day in the Town of Friday Harbor, and urge all citizens to always put down the cell phone, focus on the road, and buckle up when driving on our roadways.

### **PUBLIC HEARINGS**

#### Conditional Use Permit No. 69

At 5:35 p.m., Mayor Lacher opened the public hearing for Conditional Use Permit No. 69, a request by the American Legion Post 163 that an existing wall on their building located at 110 First Street be designated for an art mural.

Mayor Lacher and Council answered in the negative to direct communication regarding the proposal; and affirmative to hearing the matter in a fair and objective manner.

Mayor Lacher asked Land Use Administrator, Mike Bertrand, to present the staff report. Mr. Bertrand entered Exhibits A-E, letters regarding the proposal; and Exhibit F, Staff Report; into the record. Staff evaluation is that this application requires a conditional use permit as per the Town's sign regulations. In these regulations there are no criteria specifically listed for the approval of murals. A decision on its content and aesthetics shall be determined by the Town Council. While this proposal doesn't conflict with the comprehensive plan, it is up to the Town Council to decide as to its compatibility with the surrounding community. Mr. Bertrand explained that if the Town Council should approve or amend Conditional Use Application No. 69 and allow a mural to be painted on the subject property, the permit should be conditioned as follows: 1) the installation of the mural, which is the subject of this conditional use permit, must commence within a period of two years from the date of said permit, or it will become null and void; and 2) staff should be instructed to draft Findings of Fact and Conclusions of Law.

47 At 5:44 p.m., Mayor Lacher invited the Applicant to comment on the proposal. Shannon Plummer,  
48 Legion Commander, explained that the Legion desires a rendition of the American flag with no stars.  
49 Mike Scott, artist, stated that the intent of the mural is to liven up the building and clean the area.

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51 At 5:50 p.m., Mayor Lacher opened the hearing to public testimony.

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53 Steve Voman, 156 Otter Lane, testified against the proposal.

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55 Diane Martindale, member of the WA State Arts Commission, testified against the proposal.

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57 Mike Ahrenius, Port of Friday Harbor Commissioner, testified against the proposal.

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59 Greg Taylor, 151 Southerland Road, testified in favor of the proposal.

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61 Hearing no other testimony, Mayor Lacher heard from the Applicant.

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63 Mr. Scott stated that the Legion would be willing to change the proposed design.

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65 Mr. Plummer stated that a rendition of an American flag does not hurt the historical look of Friday  
66 Harbor.

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68 Steve Bowman, \_\_\_\_\_, testified against the proposal.

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70 At 6:02 p.m., hearing no other testimony, Mayor Lacher opened the hearing to Council questions.

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72 Councilmember Monin asked if the Applicant was open to a collaborative design with its neighbors. Mr.  
73 Plummer stated that they would, however couldn't agree until the Legion knows exactly what that is.

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75 At 6:04 p.m., Mayor Lacher closed the public input portion of the hearing and opened the hearing to  
76 Council deliberations. Councilmembers took turns debating the proposal.

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78 **Moved by Starr, seconded by Monin, to deny Conditional Use Permit No. 69 and direct staff**  
79 **to prepare findings of fact, conclusions of law, and decision. Motion passed 4-1 with**  
80 **Monin opposed.**

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82 Transportation Improvement District

83 At 6:23 p.m., Mayor Lacher opened the public hearing regarding establishment of a Transportation  
84 Improvement District. Administrator Wilson explained that the draft Ordinance needed more work and  
85 requested that the hearing be continued.

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87 **Council consensus to continue the public hearing until June 26, 2014 at 5:30 p.m.**

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## 89 **WORK SESSION**

90 Transportation Improvement District

91 At 6:32 p.m., Mayor Lacher introduced discussion regarding the creation of a Transportation  
92 Improvement District. Administrator Wilson described the process for formation of a TBD. Discussion  
93 followed regarding the timing of a ballot measure in conjunction with the possible annexation of Town  
94 to Fire District 3. No action was taken.

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**ACTION AND DISCUSSION ITEMS (cont.)**

Resolution No. 2028

At 6:58 p.m., Mayor Lacher introduced discussion of draft Resolution No. 2028, *authorizing the Mayor to execute an addendum to the employment agreement between the Town of Friday Harbor and Duncan C. Wilson for the position of Town Administrator.* Following his successful employee review, the Town Council desires to amend the terms and conditions of employment to reflect a compensation adjustment for the position of Town Administrator effective June 1, 2014. The Mayor and Council thanked Mr. Wilson.

**Moved by Ghatan, seconded by de Freitas, to adopt Resolution No. 2028, authorizing the Mayor to execute an addendum to the First Amended Employment Agreement between the Town of Friday Harbor and Duncan C. Wilson for the position of Town Administrator. Motion passed unanimously.**

Ordinance No. 1536

At 7:00 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1536, granting a non-exclusive franchise to CenturyTel of Inter Island, Inc., dba CenturyLink, a Washington State Corporation, to operate and maintain telecommunications facilities within the public streets and Rights-of-Way of the Town of Friday Harbor. CenturyTel of Inter Island, Inc. (CenturyLink) presently operates within the Town a telecommunications system and is a service provider as that term is defined in RCW 35.99.010. CenturyLink wishes to secure a franchise agreement with the Town so that it may construct, operate, and maintain telecommunications facilities within Rights-of-Way within the corporate limits of the Town of Friday Harbor. The Town and CenturyLink have reached suitable terms for an agreement. Discussion followed regarding the terms of the agreement and franchise fees. No action was taken. **Council consensus to read said ordinance at the June 5, 2014 session.**

**APPROVAL OF MINUTES**

Moved by Ghatan, seconded by de Freitas, to approve the minutes of May 1, 2014 as submitted. Motion passed unanimously.

**FUTURE AND NON-AGENDA ITEMS**

Councilmember Ghatan suggested the creation of a pocket park near the Browne Property on Ellsworth Way. Discussion followed. No action was taken.

**CITIZEN RESPONSE**

No citizen response was forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 7:16 p.m. The next regular meeting is scheduled for Thursday, June 5, 2014 at 12:00 p.m.

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**These minutes were approved on June 5, 2014. The original document is retained by the Clerk in the Town Council’s permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**